

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

3/12/2019 1:26 pm

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GERALD BROCKLEBANK, #16005076,

U.S. DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
LONG ISLAND OFFICE

Plaintiff,

-against-

NASSAU COUNTY (ARMOR CORPS),

Defendant.

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AZRACK, District Judge:

By Order dated November 6, 2018 (the “Order”), the Court granted the application of incarcerated *pro se* plaintiff Gerald Brocklebank (“plaintiff”) to proceed in forma pauperis and sua sponte dismissed his complaint brought pursuant to 42 U.S.C. § 1983 for failure to allege a plausible claim for relief as required by 28 U.S.C. §§ 1915(e)(2)(B)(ii), 1915A. The Court granted plaintiff leave to file an amended complaint in accordance with the Order within thirty (30) days from the date of the Order. Plaintiff was cautioned that if he “fails to file an amended complaint within thirty (30) days from the date of this Order, judgment shall enter and this case shall be closed.” (*See* Order at 8.)

To date, plaintiff has not filed an amended complaint, nor has he otherwise communicated with the Court. Moreover, the copy of the Order that was mailed to plaintiff was returned as undeliverable because plaintiff has been discharged. Accordingly, this action and the complaint is dismissed pursuant to 28 U.S.C. §§ 1915(e)(2)(B)(ii), 1915A(b). Plaintiff’s failure to provide the Court with a current address is an additional reason to dismiss this action.

The Clerk of Court shall enter judgment, close this case and mail a copy of this Order to the plaintiff at his last known address.

The Court certifies pursuant to 28 U.S.C. §1915(a)(3) that any appeal from this Order would not be taken in good faith and therefore in forma pauperis status is denied for the purpose of any appeal. *See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

SO ORDERED.

Dated: March 12, 2019
Central Islip, New York

/s/ (JMA) _____
Joan M. Azrak
United States District Judge